

House File 265 - Introduced

HOUSE FILE 265

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 67)

A BILL FOR

1 An Act prohibiting the state, counties, cities, and certain
2 postsecondary educational institutions from limiting or
3 restricting enforcement of federal immigration laws.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 70A.41 State limitation or
2 restriction of enforcement of federal immigration law prohibited.

3 1. The state and any state agency, officer, or employee
4 shall not adopt or enforce any rule, policy, or procedure that
5 limits or restricts the enforcement of any federal immigration
6 law to less than the full extent permitted by federal law.

7 2. The state and any state agency, officer, or employee
8 shall not do any of the following related to information
9 regarding the citizenship or immigration status, whether lawful
10 or unlawful, of any individual:

11 a. Prohibit law enforcement officials or agencies from
12 gathering such information.

13 b. Direct law enforcement officials or agencies not to
14 gather such information.

15 c. Prohibit the communication of such information to federal
16 law enforcement agencies.

17 3. This section applies to the board of regents and its
18 institutions, community colleges, and any other postsecondary
19 educational institution in this state that receives state
20 funds.

21 Sec. 2. Section 331.304, Code 2017, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 12. a. A county shall not adopt or enforce
24 any ordinance, motion, resolution, or amendment that limits or
25 restricts the enforcement of any federal immigration law to
26 less than the full extent permitted by federal law.

27 b. A county shall not do any of the following related to
28 information regarding the citizenship or immigration status,
29 whether lawful or unlawful, of any individual:

30 (1) Prohibit law enforcement officials or agencies from
31 gathering such information.

32 (2) Direct law enforcement officials or agencies not to
33 gather such information.

34 (3) Prohibit the communication of such information to
35 federal law enforcement agencies.

1 Sec. 3. Section 364.3, Code 2017, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 12. *a.* A city shall not adopt or enforce
4 any ordinance, motion, resolution, or amendment that limits or
5 restricts the enforcement of any federal immigration law to
6 less than the full extent permitted by federal law.

7 *b.* A city shall not do any of the following related to
8 information regarding the citizenship or immigration status,
9 whether lawful or unlawful, of any individual:

10 (1) Prohibit law enforcement officials or agencies from
11 gathering such information.

12 (2) Direct law enforcement officials or agencies not to
13 gather such information.

14 (3) Prohibit the communication of such information to
15 federal law enforcement agencies.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill prohibits the state of Iowa and any state agency,
20 officer, or employee or a county or city from adopting or
21 enforcing any rule, policy, procedure, ordinance, motion,
22 resolution, or amendment that limits or restricts the
23 enforcement of any federal immigration law to less than the
24 full extent permitted by federal law.

25 The bill also prohibits the state of Iowa and any state
26 agency, officer, or employee or a county or city from certain
27 activities relating to information regarding the citizenship
28 or immigration status, whether lawful or unlawful, of
29 any individual. The state of Iowa and any state agency,
30 officer, or employee or a county or city shall not prohibit
31 law enforcement officials or agencies from gathering such
32 information, direct law enforcement officials or agencies not
33 to gather such information, or prohibit the communication of
34 such information to federal law enforcement agencies.

35 The prohibitions in the bill, relating to the state of

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1 Iowa, state agencies, and officers and employees, apply to the
2 board of regents and its institutions, community colleges, and
3 any other postsecondary educational institution in Iowa that
4 receives state funds.